

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

MARQUISE FIGURES,

Plaintiff,

v.

CIVIL ACTION NO. 3:19-0728

CHAD HALE and
VANCE KEATON, Booking Officer,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that Defendants' Motion to Dismiss (ECF No. 40) be granted, that Plaintiff's complaint (ECF No. 2), be dismissed, and this action be removed from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **ORDERS** that Defendants' Motion to Dismiss (ECF No. 40) be granted, that Plaintiff's complaint (ECF No. 2), be dismissed, and this action be removed from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: April 12, 2021


ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE